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CITY OF MARLBOROUGH
City Council Agenda

Monday, May 23, 2022
8:00 PM

This meeting of the City Council will be held in City Council Chambers, City Hall, 140 Main Street. **PUBLIC ATTENDANCE IS PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34), or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

1. Minutes, City Council Meeting, May 9, 2022.
2. CONTINUED PUBLIC HEARING on the Petition from Massachusetts Electric and Verizon New England, to install a new pole and remove the old pole and install underground cable for city work around the pump station on Cullinane Drive, Order No. 22-1008586A.
3. PUBLIC HEARING on the Petition from Massachusetts Electric, to replace three (3) sections of direct buried cable and replace with new primary cable in conduit on Stone Hill Road, Order No. 22-1008596.
4. Communication from the Mayor, re: Transfer Request in the amount of \$1,422,500.00 which moves funds from the Undesignated Fund to the West Side Fire Station Stabilization Account.
5. Communication from the Mayor, re: Revolving Fund Spending Limits for the Public Safety Revolving Fund, the Parks and Recreation Revolving Fund, the Council on Aging Revolving Fund and the Water and Sewer Revolving Fund for Fiscal Year 2023.
6. Communication from the Mayor, re: Proposed Revision to Fiscal Year 2023 Budget submission.
7. Communication from the Mayor, re: Transfer Request in the amount of \$1,735,807.00 which moves funds from and to various accounts as outlined to cover expenses for several departments for the remainder of Fiscal Year 2022.
8. Communication from the Mayor, re: Transfer Request in the amount of \$1,000,000.00 from Undesignated Fund to Library Building Renovations to cover unanticipated cost overruns.
9. Communication Proposed Water Tank Maintenance Contract pursuant to MGL Chapter 40 §62 and Chapter 30B §12.
10. Communication from the Mayor, re: Grant Acceptance in the amount of \$14,816.90 from the 495/MetroWest Corridor Partnership awarded to Marlborough Economic Development Corporation (MEDC) to be used for a project at Union Common.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

11. Communication from the Mayor, re: Grant Acceptance in the amount of \$60,000.00 from the Executive Office of Public Safety & Security and Homeland Security awarded to the Police Department to be used for the beginning phase of body camera/cruiser camera systems.
12. Communication from the Mayor, re: Grant Acceptance in the amount of \$185,000.00 as part of the Fiscal Year 2022 Earmark Funding awarded to the Department of Public Works for various projects throughout the city.
13. Communication from the Mayor, re: Grant Acceptance in the amount of \$219,982.00 from Community Compact Cabinet's Municipal Fiber Program awarded to Information Technology to be used to replace BANA copper network lines used for radio communications.
14. Communication from the Mayor, re: Grant Acceptance in the amount of \$11,835,814.00 for the Coronavirus Local Fiscal Recovery Fund (CLFRF) money with revisions to projects as resubmitted by Mayor Vigeant.
15. Communication from Solicitor Jason Grossfield, re: Executed settlement agreement in connection with litigation matter of WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21MISC000451).
16. Communication from Central MA Mosquito Control Project, re: Information on enhanced larval treatment plans for EEE mitigation in 2022.
17. Application for Renewal of Junk Dealer/Secondhand Dealer License, TVI, Inc, d/b/a Savers, 222A East Main Street.
18. Application for Renewal of Junk Dealer/Secondhand Dealer License, ecoATM, LLC, 601 Donald J. Lynch Boulevard.
19. Minutes of Boards, Commissions and Committees:
 - a) School Committee, April 12, 2022 & April 26, 2022.
 - b) Conservation Commission, April 7, 2022.
 - c) Planning Board, March 28, 2022 & April 11, 2022.
20. CLAIMS:
 - a) Joanna Gilantzis, 234 Lovell Street, Worcester, other property damage and/or personal injury.
 - b) Chris Horman, 179 Helen Drive, other property damage and/or personal injury.
 - c) David Kelber, 61 Burns Road, pothole or other road defect.
 - d) Scott Richards, 8 Gagas Lane, residential mailbox claim (2a).
 - e) Robert Cavalcanti, 359 Littlefield Lane, other property damage and/or personal injury.

REPORTS OF COMMITTEES:

UNFINISHED BUSINESS:

From Urban Affairs Committee

21. **Order No. 21/22-1008475D Proposed Zoning Map Amendment for parcels of land located on Jefferson and a small portion of Lincoln Streets, identified as Map 56, Parcels 147, 148, 150, 151, 152, & 153 in addition to Map 56, Parcels 154, 155, 156, 157 & 158.**

Recommendation of the Urban Affairs Committee is to APPROVE as amended.

Councilor Wagner moved to approve the zoning amendments as submitted by the mayor; motion was seconded, and chair asked for discussion. Councilor Doucette moved to amend the original recommendation for Parcel 56-153 (changing from CA to NB) to be CA to RB; the motion was seconded and carried 5-0. (This property is a single-family home that is currently pre-existing non-conforming in CA and would remain non-conforming if changed to NB but would be conforming in RB.)

From Finance Committee

22. **Order No. 22-1008584A: Proposed Fiscal Year 2023 Budget in the amount of \$181,260,899.00 as requested by Mayor Vigeant.**

Recommendation of the Finance Committee is to APPROVE as amended.

On a motion by Councilor Perlman, seconded by Chair Irish, the Finance Committee voted 3-0 to refer to the City Council Mayor Vigeant's FY2023 Operating Budget with proposed reductions in the amount of \$806,800.00 as listed in the above table and resulting in an amended **Fiscal Year 2023 Municipal Operating Budget in the amount of \$180,454,099**; and, further to recommend that the Mayor be requested to submit a budget amendment to fund the current position in the Assessor's Office 1410, 50770 Senior Clerk.

From City Council

23. **Order No. 21/22-1008402A-4: Mayoral Veto relative to the Proposed Order to authorize the purchase of 100 Locke Drive for a west side Fire Station.**

Item postponed at the May 9, 2022, City Council meeting.

24. **Order No. 21/22-1008402B-5: Mayoral Veto relative to the Transfer Request in the amount of \$5,092,666.66 for the acquisition of 100 Locke Drive for a new Fire Station.**

Item postponed at the May 9, 2022, City Council meeting.